

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

DEARREA KING,

Plaintiff,

v.

CITY OF COLUMBUS, OHIO, et al.,

Defendants.

Case No. 2:18-cv-1060

Judge Edmund A. Sargus, Jr.

Chief Magistrate Judge Elizabeth A.
Preston Deavers

**AFFIDAVIT OF
ROBERT REFFITT**

STATE OF OHIO

COUNTY OF FRANKLIN, SS:

1. I, Robert L. Reffitt, having been first duly cautioned and sworn, do hereby state and affirm that I have personal knowledge of the facts stated in this affidavit below and that I am competent to testify to those facts.

2. I am employed by the Columbus Division of Police ("CPD") as a police officer. My hire date with the CPD was December 7, 2003.

3. On the evening of September 14, 2016, CPD Officer Bryan Mason and I responded to an armed robbery in the area of S. 18th Street and E. Broad Street in Columbus Police Cruiser #7514. We were working as partners and I was driving our cruiser.

4. We turned southbound onto Hoffman Avenue from East Broad Street and I saw three males on the sidewalk on the west side of the street, just south of East Capital Street. I now know that two of these three individuals were Tyre King and Demetrius Braxton.

5. At the same time, I saw CPD Officers Kevin Yankovich and Ryan McKee in CPD Cruiser #R-72 turn northbound onto Hoffman Avenue from Madison Avenue. When this

happened, Mr. King and Mr. Braxton fled westbound between the houses. Officer Mason exited our cruiser and ran westbound on East Capital Street. I pulled the cruiser in behind Officer Mason and followed him for a short distance.

6. I saw Officer Mason run past the first house, turn southbound into a small parking area, and begin yelling commands at Mr. King to "Get on the ground! Get on the ground!"

7. I stopped and exited the cruiser and went to the driver's (east) side of a southbound facing parked car so as to cut Mr. King off from going that direction away from Officer Mason. Mr. King then stopped in front of the parked car. It appeared that he wanted to go one way or the other but could not.

8. Mr. King then pulled a gun out of his waistband. I immediately felt that Mr. King posed a deadly threat and I believe that I heard Officer Mason yell, "Don't do it!" I was preparing to shoot my gun at Mr. King, but didn't have a clear shot, when I heard Officer Mason fire three shots. Mr. King fell and dropped his gun. Mr. King's gun hit a parking block and slid in front of the parked car's driver's side front tire. Everything had happened very quickly with all three shots occurring within two or three seconds of me exiting my cruiser.

9. I then provided cover for Officer Mason while Mr. King was handcuffed and the scene was secured. I immediately aired for a medic for Mr. King. For purposes of this affidavit, I have reviewed an audio file labeled AUDIO 12 2016-09-14_19.46.25_Ch63 which is a true and accurate recording of my call in which I state "Madison and 18th. We have shots fired. Start a medic. Suspect down."

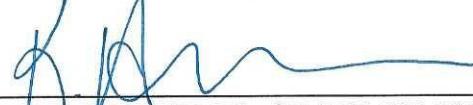
10. I am aware that Demetrius Braxton now alleges that after the shooting of Mr. King, Officer Mason stated, "Ya'll dumb. Ya'll should have stopped. You should have got down. Ya'll

so stupid. Just a bunch of dumb n*****s." This allegation is false. Officer Mason did not state a racial slur. Officer Mason did not direct a racial slur towards Mr. King or Mr. Braxton.

FURTHER AFFIANT SAYETH NAUGHT.


ROBERT REFFITT

Sworn to before me and subscribed in my presence on February 10, 2021.


NOTARY PUBLIC - STATE OF OHIO

My commission expires: 6/16/21



KATHLEEN AUKE~~M~~AN
Notary Public, State of Ohio
My Commission Expires 06-16-2021